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SUBJECT: FOCUSING THE UN ON THE SAFE HAVEN TERRORISM PROBLEM

Classified By: Minister Counselor Jeffrey Delaurentis for reasons 1.4 b and d.

¶1. (C) Begin Summary. Ambassador Dell Dailey (S/CT) met with UN Counter-Terrorism and Sanctions representatives July 15 and 16. The exchanges included a discussion of using the UN to focus on the "safe haven" terrorism problem in the Federally Administered Tribal Areas (FATA) of northwest Pakistan. The meetings revealed that the Security Council is likely the best venue in the UN for the U.S. to push such an initiative. End Summary. This is an action request, see paragraph 6.

¶2. (U) Ambassador Dailey met with the UN's Counter-Terrorism Executive Director (CTED), Mike Smith, Robert Orr, Assistant Secretary-General for Policy Planning, Richard Barrett, Coordinator of the 1267 Monitoring Team, Belgian PermRep and 1267 (al-Qaeda/Taliban) Sanctions Committee Chairman Ambassador Jan Grauls, and Croatian PermRep and 1373 Chairman, Ambassador Neven Jurica.

Dailey/Orr Meeting

¶3. (C) Ambassador Dailey and Robert Orr, Assistant Secretary-General for Policy Planning, met July 16. Ambassador Dailey explained that the U.S. greatly supports the UN Strategy and looks forward to its review on September 4 with the hope that the Strategy will remain as it is. He also presented the idea of using the General Assembly (GA) to push a CT initiative in the FATA which could be used to lean on Pakistan and to do so by showing that the issue is not solely a U.S. concern. Orr reacted cautiously and said that Pakistan is quite powerful in the GA and plays a leadership role in the G-77. Orr thought that if Pakistan did not support such an initiative, it would be defeated. He strongly suggested using the Security Council instead to pressure Pakistan.

¶4. (U) A discussion on the UN's Strategy focused on funding of the Task Force. Orr made a plea for the U.S. to be flexible and to allow the Task Force to become institutionalized without a restriction of doing so within existing resources. He said that he needs three people to run the task force and a small budget. The total cost per year he said would be roughly one million U.S. dollars. Orr said that if the Task Force continues to be funded through voluntary contributions, the developing countries of the UN will argue that the Task Force is not transparent. Ambassador Dailey said he would see what he could do. Orr said that the Task Force has received approximately one million U.S. dollars in the form of voluntary contributions so far including a recent contribution of one hundred thousand U.S. dollars from Switzerland.

Dailey/Smith Meeting

¶5. (C) Ambassador Dailey and Mike Smith, CTED's Executive

Director, met July 16. In response to Ambassador Dailey's question of where the UN can make a contribution on the "safe haven" issue, Mike Smith said that the FATA is unique and that it really depends whether the U.S. wants to simply raise awareness of the issue or actually get something accomplished. Smith said that UNSCR 1373 requires states to deny safe haven to terrorists and that demonstrating a state's breach of 1373 could be one way to highlight the issue. Smith described the GA as the entity that conveys the moral weight of the world and that if the issue of safe haven were placed in the GA and if there was support for the initiative, it would send a significant message. Ambassador Dailey shared that Robert Orr had said that using the GA would be problematic due to the power that Pakistan has over the G-77. Smith acknowledged this point and said that Pakistan carries a lot of weight in the Organization of the Islamic Conference (OIC) as well. The discussion shifted to the coordination between CTED and the Counter-Terrorism Action Group (CTAG). Smith said that there is good coordination between the two groups, but that CTAG, which includes the G8 countries plus Australia, Spain, Switzerland and the EU might include other developed countries such as Denmark, New Zealand, Sweden, and the Netherlands as the non-CTAG members tend to be isolated and are potential donors.

Dailey/Jurica Meeting

¶16. (C) After thanking Ambassador Jurica for his excellent leadership as Chairman of the Counter-Terrorism Committee (CTC), Ambassador Dailey solicited assistance to address the safe haven issue. Jurica said that a briefing by Ambassador Dailey in the CTC could be arranged. He also said that he

thought that Ambassador Dailey's briefing in May on foreign fighters was excellent and a briefing on safe haven done in a similar fashion might also be an option. Jurica indicated that Croatia would be interested in receiving whatever intelligence the U.S. could provide on the safe haven issue in the FATA. In closing, Jurica said that he would appreciate input from the U.S. on the sixth special meeting of the CTC which he thinks should be held somewhere in Asia. Action Request. Please provide guidance on this issue.

Dailey/Grauls Meeting

¶17. In a meeting with Belgian PermRep and Chairman of the 1267 (al-Qaeda/Taliban) sanctions committee Jan Grauls on July 15, Ambassador Dailey asked about the frequency of new designations for sanctions of individuals and entities associated with al-Qaeda or the Taliban and of delistings (i.e., the removal of sanctions), and whether the sanctions process was dynamic. Grauls noted that new designations continued to be at historically low numbers over the past two years (Note: there have been fifteen new listings in the past year, compared with 77 in 2003. End Note.) and speculated that one reason for was that states viewed 1267 sanctions as a life sentence--names go on the list but never come off--and so were reluctant to request new listings.

¶18. (C) Grauls also expressed his personal view that certain Committee members were not fully participating in the Committee's work, and that this reflected lack of engagement on the issue by their capitals. (Comment: Grauls, impression of lack of Committee member engagement is likely due to the fact that he started his tenure as Committee Chairman the same day of the adoption of resolution 1822, which sets out the Council's strategic vision for the 1267 regime. Given that Committee experts and experts in capitals had been intensely focused on negotiating that resolution over the previous three weeks, most Committee members were unprepared for substantive discussions of pending issues in the Committee that day, to Grauls, visible irritation. End Comment.)

¶19. (C) Grauls also brought up the issue of the pending Belgian request of 2005 to delist Nabil Sayadi and Patricia Vinck, which the U.S., UK, and France have on hold. Grauls

acknowledged that Sayadi and Vinck had not yet provided a statement of assurance that they had permanently severed all ties to terrorism, a precondition for Washington,s willingness to reconsider its hold on the delisting request. Grauls said that the Belgian authorities would have difficulty keeping Sayadi and Vinck under surveillance, as also requested by the U.S., given that there were no charges in Belgium against the couple, and asked whether we could be flexible on this point.

Dailey/Barrett Meeting

¶10. (C) Following the meeting with Ambassador Grauls, Ambassador Dailey met with coordinator of the 1267 Monitoring Team Richard Barrett. Continuing the conversation on the low number of new sanctions listings, Barrett believed that some states, and Pakistan in particular, feared losing leverage over parties once they were sanctioned. Alluding to Pakistan,s recent success, through Chinese intervention, in blocking new sanctions in the Committee on parties tied to Pakistan, Barrett said that Pakistani authorities believed they had only a small window of time to co-opt certain terrorist actors such as Lashkar-e-Tayyiba through dialogue, and feared that sanctions would undermine their ability to engage these actors. Ambassador Dailey raised the question of how to effectively pressure the Russians to allow the delisting of reconciled or dead Taliban in order to ensure the sanctions list reflects the current threat. Barrett,s view was that the U.S. would have to convince Russian Ambassador to Afghanistan Kabulov of the importance to the regime of these delistings in particular. Barrett also noted that in the coming months he would focus on Iran and Syria, whose participation on new listings he believed could be valuable to the Committee, and would travel again to Yemen. He also expressed concern that Kuwait was a weak link in the region in terms of the financing and travel of terrorists.

Khalilzad